

# DECLARATION UNDER 37 C.F.R. 1.63 AND APPOINTMENT OF POWER OF ATTORNEY

As below-named inventors, we hereby declare the following:

• We believe that we are joint inventors of the subject matter which is claimed and for which a patent is sought on an invention entitled, **METHOD AND DEVICE FOR CONDITIONING COMMUNUTED TOBACCO MATERIAL**, the specification of which: (check one)

✓ is attached hereto.  
\_\_\_\_\_ was filed on \_\_\_\_\_  
as Application Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_

• We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred-to above.

• We acknowledge our duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

• We hereby claim foreign priority benefits under Title 35, U.S.C. Sections 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

| <u>Prior Foreign Application(s)</u> |                |                              | <u>Priority Claimed</u> |       |
|-------------------------------------|----------------|------------------------------|-------------------------|-------|
| <u>100 38 114.6</u>                 | <u>Germany</u> | <u>04 August 2000</u>        | <u>X</u>                |       |
| (Number)                            | (Country)      | Filing Date (Day/Month/Year) | (Yes)                   | (No)  |
| _____                               | _____          | _____                        | _____                   | _____ |

• We hereby claim domestic priority benefits under 35 USC §119(e) of any United States provisional Application(s) listed below:

| <u>Application Number</u> | <u>Filing Date</u> |
|---------------------------|--------------------|
| _____                     | _____              |

• We hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or other PCT international filing date of this application:

| <u>U.S. Parent<br/>Application or PCT<br/>Parent Number</u> | <u>Parent Filing Date</u><br>Filing Date (Day/Month/Year) | <u>Parent Patent Number</u><br>(if applicable) |
|---|---|--|
| _____   | _____   | _____  |
| _____   | _____   | _____  |

• We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, Section 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

• We hereby appoint John F. Salazar, Reg. No. 39,353; Charles G. Lamb, Reg. No. 24,783; Jeffrey A. Haeberlin, Reg. No. 40,630; Joan L. Simunic, Reg. No. 43,125; and, James R. Higgins, Jr., Reg. No. 29,264, as our attorneys to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith, and I request that all communications concerning this application be addressed to

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Inventor's Signature: Uwe Ehling Date: 07.06.07

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Inventor's Signature: Frank Plückhahn Date: 07/16/01

Full name of joint inventor: Gerald Schmekel

Inventor's Signature: Gerald Schmekel Date: 07/16/01

Full name of joint inventor: Dr. Arno Weiss

Inventor's Signature: Arno Weiss Date: 13 July 2001

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